

STEVE BULLOCK  
GOVERNOR

OFFICE OF THE GOVERNOR  
STATE OF MONTANA



STATE ADMINISTRATION

Exhibit No. 1

Date 4-20-2015

Bill No. ANGELA McLEAN

LT. GOVERNOR SR 53

## 2013-2015 Interim Appointments

### *Boards, Councils and Commissions*

### **Commissioner of Political Practices (COPP)**

Jonathan Motl

*Included: Statute for Appointment*

*Biographies, Resumes or other Application Materials for  
interim appointees*

## Montana Code Annotated 2014

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**13-37-102. Creation of office -- removal.** (1) There is a commissioner of political practices who is appointed by the governor, subject to confirmation by a majority of the senate. A four-member selection committee composed of the speaker of the house, the president of the senate, and the minority leaders of both houses of the legislature shall submit to the governor a list of not less than two or more than five names of individuals for the governor's consideration. A majority of the members of the selection committee shall agree upon each nomination.

(2) The individual selected to serve as commissioner may be removed by the governor prior to the expiration of the term only for incompetence, malfeasance, or neglect of duty. The governor's decision to remove the commissioner must be stated in writing, and the sufficiency of the governor's stated causes for removing the commissioner is subject to judicial review.

**History:** En. 23-4785 by Sec. 10, Ch. 480, L. 1975; amd. Sec. 62, Ch. 365, L. 1977; amd. Sec. 1, Ch. 461, L. 1977; R.C.M. 1947, 23-4785(1), (5); amd. Sec. 1, Ch. 483, L. 1979; amd. Sec. 19, I.M. No. 85, approved Nov. 4, 1980; amd. Sec. 5, Ch. 479, L. 2005; amd. Sec. 16, Ch. 4, Sp. L. May 2007.

*Provided by Montana Legislative Services*

Jonathan Motl  
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#### Employment

Morrison, Motl and Sherwood and predecessor firms, Helena, Montana 1982-Present, Partner, with a law practice focused on commercial law, consumer advocacy, campaign finance/practice law and corporate representation.

#### Education

University of Minnesota, Minneapolis, Minnesota  
Bachelor's of Science, College of Biological Sciences, 1970.  
William Mitchell College of Law, St. Paul, Minnesota  
Juris Doctor 1975.  
University of Montana, Missoula, Montana  
Environmental Studies Masters Program (Thesis lacking) 1976.

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Admitted:	Montana State and Federal Courts 9 <sup>th</sup> Circuit Courts of Appeals Minnesota Bar (inactive)
Associations:	Elected Member, Montana Chapter American Board of Trial Advocates (ABOTA) Montana Bar Association Director Emeritus, Montana Justice Foundation

#### Title 13 MCA Experience

. represented ballot issue proponents, ballot issue opponents, candidates, and candidate committees, before the Office of the Commissioner of Political Practices. The representation has spanned 30 years and has involved issues on both sides of reporting and disclosure, including in-kind and coordination.

. served as deputy treasurer for candidate and ballot committees; drafted 9 citizen initiatives from submission through petition, including several campaign practice initiatives; conducted or defended 15 campaign inspections under 13-37-209 MCA.

. drafted and promoted legislation that brought about or changed several current campaign practice laws, including 13-37-210, 13-37-216 and 13-37-218.

. engaged regularly in campaign practices litigation, most recently: *Rickert v McCulloch* No. DV-2012-75 10<sup>th</sup> Judicial District, Fergus County (2012); *Coutts, et al. v. McCulloch, et al.*, No. DV-1-295, 20<sup>th</sup> Judicial District, Lake County (2010); *Montanans Opposed to I-166 v Bullock* NO. OP 12-0439 Montana Supreme Court (*Amicus*, 2012).



Attachment to Resume of Jonathan Motl  
Regarding Office of the Commissioner  
Of Political Practices

Responses to Six Questions Posed by Legislative Services

1. I am familiar with the restrictions Montana law imposes on the holder of this position, specifically those in §§2-2-136, 13-37-108, and 13-37-111, MCA, as amended by HB 23. I gained this knowledge by reading the laws.
2. My legal writing experience stems from a legal education (1975), followed by 38 years of work requiring legal writing. I am an elected member of the American Board of Trial Advocates (ABOTA), Montana Chapter. This signifies that I have taken at least 20 civil cases all the way through a 12 person jury trial with all of the legal writing, including the final pre-trial Order and jury instructions, required to take a case through trial. I have been legal counsel in dozens of mediation or arbitration experiences, including trying cases to an arbitrator.
3. I have been a party to five complaints listed on record with the CPP website: Motl v Committee to Defend 1<sup>st</sup> Amendment Rights, 10/11/96; Motl v Yes on 97, et. al, 6/29/09; Motl v CMRG, 7/21/02; Motl v Citizens for Responsive Govt, 4/20/04; and, Motl v Summit, 3/9/12. I have been involved as an attorney in defending several additional complaints.
4. Yes, I have been involved in drafting ballot issues (9), as well as campaign reporting of ballot issues and candidates. Please see my resume for a listing of overall involvement in campaign reporting.
5. I have never run for political office. I have not been active in any political party. I have contributed to a political party, to candidates and to ballot committees. My past activities and contributions will not affect my ability to render impartial decisions as I will follow law.
6. I have been involved as a lobbyist for Montana Common Cause (1983 session) and for the Montana Police Protective Association (1990). I have appeared as a volunteer in support of or opposition to bills, primarily campaign finance bills.